

RECEIVED
CENTRAL FAX CENTER

FAX TRANSMISSION

APR 27 2006

DATE: April 27, 2006

PTO IDENTIFIER: Application Number 10/616537-Conf. #1933
Patent Number

Inventor: Teruaki KOMIYA

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano

PHONE: (617) 227-7400

Attorney Dkt. #: TOW-032

PAGES (Including Cover Sheet): 5

CONTENTS: Response to Restriction Requirement (without Traverse) (2 page)
Transmittal (1 page)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/87 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

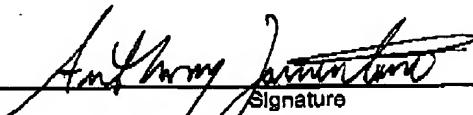
Application No. (If known): 10/816537

Attorney Docket No.: TOW-032

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on April 27, 2006
Date



Signature

Anthony A. Laurentano

Typed or printed name of person signing Certificate

38,220
Registration Number, if applicable(617) 227-7400
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Restriction Requirement (without Traverse) (2 page)
Transmittal (1 page)

RECEIVED
CENTRAL FAX CENTER

APR 27 2006

PTO/SB/21 (08-04)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

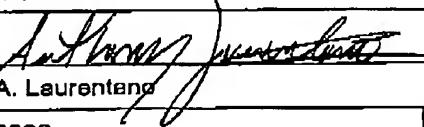
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/616537-Conf. #1933
		Filing Date	July 9, 2003
		First Named Inventor	Teruaki KOMIYA
		Art Unit	1745
		Examiner Name	L. S. Weiner
Total Number of Pages In This Submission	Attorney Docket Number		TOW-032

ENCLOSURES (Check all that apply)

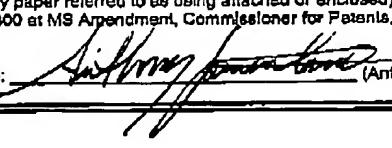
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Anthony A. Laurentano		
Date	April 27, 2006	Reg. No.	38,220

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at MS Aroendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 27, 2006

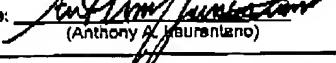
Signature:  (Anthony A. Laurentano)

RECEIVED
CENTRAL FAX CENTER

APR 27 2006

Docket No.: TOW-032
(PATENT)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-6300 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 27, 2006 Signature: 
(Anthony J. Laurentano)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Teruaki Komiya

Application No.: 10/616537

Confirmation No.: 1933

Filed: July 9, 2003

Art Unit: 1745

For: PROTON CONDUCTIVE SOLID POLYMER
ELECTROLYTE

Examiner: L. S. Weiner

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Restriction Requirement mailed on March 29, 2006.

The Examiner has required restriction among each of the following groups of species of the claimed invention in the above-identified application:

A) For the basic polymer: polymer of Formula (1), polymer of Formula (2), polymer of Formula (3), polymer of Formula (4), and polybenzimidazole.

B) For the material that has at least one lone pair: a compound having nitrogen-containing heterocyclic compound group, a compound having amino group, a compound having imino group, and a nitrogen-containing heterocyclic compound.

Accordingly, Applicant hereby elects polybenzimidazole as the basic polymer and a nitrogen-containing heterocyclic compound as the material that has at least one lone pair. Applicant further elects a proton conductive solid polymer electrolyte including

Application No.: 10/616537

Docket No.: TOW-032

polybenzimidazole as the basic solid polymer with the material as imidaazole, as a single disclosed species. Claims 4, 7, 13, and 14 are readable on this species. Claims 1-3, 5, and 6 are generic to all species. Applicant respectfully notes that all of these claims are readable on the elected species.

If further issues persist, or the Examiner has any questions regarding this communication, please call Applicants' representative at the number set forth below.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. TOW-032 from which the undersigned is authorized to draw.

Dated: April 27, 2006

Respectfully submitted,

By 
Anthony A. Laurentano
Registration No.: 38,220
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney For Applicant